



**U.S. Department of Justice**

***Carmen M. Ortiz***  
*United States Attorney*  
*District of Massachusetts*

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*Main Reception: (617) 748-3100*

*John Joseph Moakley United States Courthouse*  
*1 Courthouse Way*  
*Suite 9200*  
*Boston, Massachusetts 02210*

December 17, 2015

Tor Ekeland, Esq.  
195 Plymouth Street, 5th Floor  
Brooklyn, NY 11201

**Re: *U.S. v. Martin Gottesfeld***

Dear Mr. Ekeland:

This letter confirms that the United States Attorney for the District of Massachusetts will consider an accurate and complete proffer from your client, Martin Gottesfeld, in connection with the investigation into the conspiracy to damage computers at Boston Children's Hospital and other entities. The terms under which the contemplated proffer will be received are as follows:

1. No statements made or other information provided by Gottesfeld will be used by the United States Attorney directly against him, except to rebut any evidence offered, or factual assertions made, by or on behalf of Gottesfeld at any stage of a criminal or civil proceeding (including but not limited to detention hearing, trial or sentencing) which is inconsistent with, or contrary to statements made during the proffer, or in a prosecution of Gottesfeld based on false statements made or false information provided by him.

2. The government may make derivative use of, or may pursue any investigative leads suggested by, any statements made or other information provided by Gottesfeld in the course of the proffer. Any evidence directly or indirectly derived from the proffer may be used against him and others in any criminal case or other proceeding. This provision is necessary in order to eliminate the possibility of a hearing at which the government would have to prove that the evidence it would introduce is not tainted by any statements made or other information provided during the proffer. See Kastigar v. United States, 406 U.S. 441 (1972).

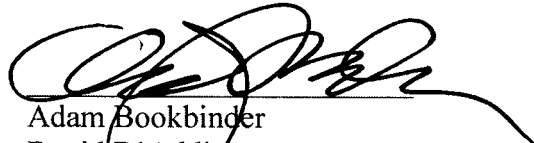
The United States Attorney is not hereby agreeing that she will subsequently enter into a plea or immunity agreement with your client. The foregoing is the complete agreement between

your client and the United States Attorney with regard to your client's proffer.

Very truly yours,

CARMEN M. ORTIZ  
United States Attorney

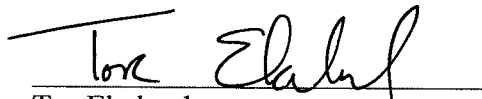
By:

  
Adam Bookbinder  
David D'Addio  
Assistant U.S. Attorneys

Acknowledged and agreed to:

  
Martin Gottesfeld

12/17/15  
Date

  
Tor Ekeland  
Counsel for Martin Gottesfeld

12/17/15  
Date